



California Regional Water Quality Control Board

Lahontan Region



Linda S. Adams
Secretary for
Environmental Protection

2501 Lake Tahoe Boulevard, South Lake Tahoe, California 96150
(530) 542-5400 • Fax (530) 544-2271
www.waterboards.ca.gov/lahontan

Arnold Schwarzenegger
Governor

MEMORANDUM

TO: Water Board Members

FROM: *for* HAROLD J. SINGER
EXECUTIVE OFFICER
LAHONTAN REGIONAL WATER QUALITY CONTROL BOARD

DATE: FEB 03 2009

SUBJECT: EXEMPTION TO DISCHARGE PROHIBITION CONTAINED IN THE
WATER QUALITY CONTROL PLAN FOR THE LAHONTAN REGION –
DEFREITAS FIRE TRUCK TURNAROUND PROJECT, PLACER
COUNTY

In ten days, I intend to sign the enclosed letter granting an exemption to the discharge prohibition specified in the *Water Quality Control Plan for the Lahontan Region* for the DeFreitas Fire Truck Turnaround Project (Project) in Placer County. The exemption will allow the project proponent to perform grading and road improvements which would provide a fire truck turnaround on previously disturbed floodplain and improve drainage characteristics of the existing roadway adjacent to, and partially within, the floodplain.

The Project site is located on the eastern side of the Truckee River north of Bridge 11 in Placer County (APN 080-182-011). Grade improvements on the previously-disturbed area, widening the small portion of existing roadway in the floodplain, and installing an energy dissipater and culvert to convey road runoff will result in 230 square feet of disturbance in the floodplain. The Project meets requirements for an exemption to the discharge prohibition.

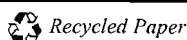
A public notice soliciting comments on the proposed Project will be posted on the Water Board's website for 10 days.

If you have any questions or comments regarding this matter, please contact Tobi Tyler at (530) 542-5435.

Enclosure: Draft Water Quality Certification Order and 100-year Floodplain Exemption

TT/clhT: Defreitas Fire Truck Turnaround FPE memo 1_26_09 TT.doc
[File: 6A310809001 / Fire Truck Turnaround Project/ Placer County]

California Environmental Protection Agency





California Regional Water Quality Control Board

Lahontan Region



Linda S. Adams
Secretary for
Environmental Protection

2501 Lake Tahoe Boulevard, South Lake Tahoe, California 96150
(530) 542-5400 • Fax (530) 544-2271
www.waterboards.ca.gov/lahontan

Arnold Schwarzenegger
Governor

Mike and Jo Beth DeFreitas
1127 Manzanita Drive
Pacifica CA 94044

NOTICE OF APPLICABILITY FOR SMALL CONSTRUCTION GENERAL PERMIT AND EXEMPTION FROM THE 100-YEAR FLOODPLAIN DISCHARGE PROHIBITION, DEFREITAS FIRE TRUCK TURNAROUND PROJECT, PLACER COUNTY (WDID NO. 6A310809001, BOARD ORDER NO. R6T-2003-0004-139)

The Lahontan Regional Water Quality Control Board (Water Board) has received information, including a Notice of Intent and filing fee of \$872, to complete a report of waste discharge and Notice of Intent (NOI) to comply with Water Board Order No. R6T-2003-0004 for the DeFreitas Fire Truck Turnaround and Residence project (Project). The application also provided information to support granting an exemption from a waste discharge prohibition in the Water Board's *Water Quality Control Plan for the Lahontan Region* (Basin Plan). Based upon the information provided, it is our determination that the project is in accordance with the required conditions of our General Waste Discharge Requirements for Small Construction Projects, Including Utility, Public Works, and Minor Streambed/Lakebed Alteration Projects in the Lahontan Region (Small Construction Permit). All of the requirements contained in the Small Construction Permit will be applicable to your project. You are hereby assigned Small Construction Permit Number R6T-2003-0004-139 for the Project. This Notice of Applicability (NOA) and waste discharge prohibition exemption is based upon the information provided in the application, a site review by water Board staff, and subsequent correspondence with your engineer Dennis Dodds and Associates.

Any person aggrieved by this action of the Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.



GENERAL PROJECT DESCRIPTION

The Project site is located on and near Placer County Assessor's parcel No. 080-182-011, on the east side of the Truckee River north of Bridge 11. The Project consists of improvements to an existing road (shared driveway) and existing disturbed areas of the 100-year floodplain suitable for a fire truck turnaround, and extension of the existing road (outside the floodplain) for access to the parcel for construction of a single-family residence. The existing road does not offer the Squaw Valley Fire Department the capability to turn their fire trucks and ambulances around and thereby adequately serve the DeFreitas property and adjoining properties, as described in an August 29, 2008 letter from the Fire Department, such that improvements are required. The existing road and turnaround area is from historic fill and grading in the floodplain, is in poor condition and currently erodes into the adjoining floodplain wetlands. A culvert for drainage from the uphill side of the road no longer functions. A rock-lined ditch is proposed on the uphill side of the road to detain stormwater runoff before it reaches a proposed new culvert under the road. Minor grading on the road and at the turnaround site will improve drainage towards the rock-lined ditch. At the end of the culvert, a cobble-lined energy dissipater will reduce erosion by slowing the runoff into the vegetated floodplain. Disturbance outside of the floodplain will total 10,000 square feet or more from widening the remainder of the existing roadway, installing the ditch and catch-basin, grading for the new driveway and construction of the residence.

WATER QUALITY CONTROL PLAN WASTE DISCHARGE PROHIBITION

The Water Board has adopted a *Water Quality Control Plan for the Lahontan Region* (Basin Plan), which specifies the following discharge prohibition:

"4(c) The discharge or threatened discharge, attributable to human activities, of solid or liquid waste materials including soil, silt, clay, sand, and other organic or earthen materials to lands within the 100-year floodplain of the Truckee River or any tributary to the Truckee River is prohibited."

Grading and excavation is proposed to place the new culvert and energy dissipaters and improve a small portion of existing roadway and will result in 230 square feet of disturbance within the 100-year floodplain to meet Fire Department requirements.

100-YEAR FLOOD PLAIN WASTE DISCHARGE PROHIBITION EXEMPTION

The Water Board may grant exemptions to prohibition 4(c) above as it applies to the Truckee River for the repair or replacement of existing structures, provided that the repair or replacement does not involve the loss of additional floodplain area or volume. Prior to granting any such exemption, the Water Board shall require demonstration by the proposed discharger that all applicable Best Management Practices and mitigation measures have been incorporated into the project to minimize any potential soil erosion and/or surface runoff problems.



Pursuant to Resolution No. R6T-2008-003, the Water Board has delegated authority to the Executive Officer to grant exemptions to the 100-year flood plain discharge prohibition in the Truckee River Hydrologic Unit for specific discharges when certain conditions are met:

- a. The executive officer has the authority to authorize the project under an existing general permit, general waiver or under individual water quality certification order, excluding projects that require a Board action; and
- b. The project meets the exemption or exception criteria set forth in the Basin Plan; and
- c. The project is necessary for public health, safety, or environmental protection; or
- d. The project's primary purpose is to reduce, control, or mitigate existing sources of erosion or water pollution; or
- e. The project is a repair or replacement of existing facilities; or
- f. The project is a bridge abutment, approach or an essential transportation facility; or
- g. The public recreation project is within the following specific size limitations:
 - less than 2000 square feet of new ground disturbance, and
 - less than 100 cubic yards of fill or excavation.

Except in emergency situations, the executive officer shall notify the Board and interested members of the public of his intent to issue an exemption or exception subject to this Resolution at least ten (10) days before the exemption or exception is issued. A notice of exemption will also be posted on the Water Board website and distributed through an interested persons mailing list allowing at least ten (10) days to submit comments.

EXEMPTION GRANTED

In this case, the Project will be covered under *General Waste Discharge Requirements for Small Construction Projects, Including Utility, Public Works, and Minor Streambed/Lakebed Alteration Projects in the Lahontan Region* (Small Construction Permit, Board Order No. R6T-2003-0004), and the project is a repair or replacement of existing facilities that does not involve loss of existing floodplain area or volume as needed to promote public health and safety. The applicant has incorporated appropriate Best Management Practices (BMPs) into the Project and has prepared and submitted a BMP Plan that the Project will follow to ensure that any erosion and surface runoff problems caused by the Project are minimized to levels of insignificance. The Project is hereby granted an exemption to the above-cited waste discharge prohibition.



CEQA COMPLIANCE

The DeFreitas Fire Truck Turnaround Project is categorically exempt from the California Environmental Quality Act (CEQA), according to the California Code of Regulations (CCR) title 14, section 15301(c), existing facilities. The Water Board will file a Notice of Exemption with the State Clearinghouse concurrently with this Order.

GENERAL INFORMATION

1. The Project must be constructed in accordance with the requirements contained in the Permit and in accordance with the information submitted in the Notice of Intent, and other application materials.
2. The required annual fee for waste discharge requirements (as specified in the annual billing you will receive from the State Water Resources Control Board) must be submitted until the Notice of Applicability is officially revoked. Revocation procedures are specified in Section IV.C. of the Permit.
3. Failure to abide by the conditions of the Permit could result in an enforcement action as authorized by provisions of the Porter-Cologne Water Control Quality Act.

If you have any questions regarding permit requirements, please contact Tobi Tyler at (530) 542-5435. Please use the above-referenced WDID and Board Order number in any future communications regarding this project and permit.

HAROLD J. SINGER
EXECUTIVE OFFICER

cc: Steve Buelna, Placer County Planning Department
Dennis Dodds, Dennis Dodds and Associates, Inc.
Peter Bansen, Chief, Squaw Valley fire Department

TT/clhT: DeFreitas Fire Truck Turnaround FPE and NOA 2-3-09 AEM.doc
File Under: WDID 6A310809001/Placer County/Fire Truck Turnaround

